

ENERGY POLICY

Mr. DORGAN. Mr. President, I would like to make a comment finally on the Energy bill which my colleague from Wyoming discussed moments ago.

If we have learned anything—and I expect we have learned a lot with respect to the war in Iraq, Afghanistan, and the trouble in the Middle East—it is that this country is foolish to continue its excessive reliance on oil from troubled parts of the world. When 55 percent of our oil comes from overseas and outside of our borders, and when the largest growth in energy usage is for transportation and putting gasoline through our carburetors so we can drive back and forth to work and take trips and so on, this country ought to understand the great peril it is in—the peril to which the economy would be flat on its back tomorrow morning if, God forbid, the supply of oil from outside our borders was discontinued or interrupted. We need to understand that. We need to pass an Energy bill that recognizes and addresses it.

The Energy bill, in my judgment, should be legislation that does four things: incentivizes increased production of fossile fuels—yes, oil—using clean fuel technology, coal and natural gas; incentivizes conservation and provides for substantial conservation initiatives; provides for efficiency with all of these things that we use in our daily lives, especially using electricity; and then, finally, addresses the issue of limitless renewable sources of energy—ethanol, biodiesel, and especially, in my judgment, hydrogen.

If we fail to do all of that in an aggressive way, we will not have much of an Energy bill. We will, as we do every 25 years, come back and debate where we should drill now. Digging and drilling is a policy that I call “yesterday forever.” It doesn’t advance this country’s interests. Yes. We should produce more fossil fuels, and we will. But we need to decide that putting gasoline through our carburetors is not what we want our grandchildren to do.

The President talked about moving to a hydrogen economy with fuel cells. I agree with that. Good for him. Putting his administration on line in support of that initiative makes great sense. Frankly, his specific proposal was timid. It was not very bold. But he deserves great credit for moving in the right direction.

I and some of my colleagues will introduce legislation dealing with hydrogen and fuel cells. That will be a \$6.5 billion program over the next 10 years—a type of Apollo program. At the start of a decade we said, Let us have a man working on the Moon at the end of the decade. We did it with timelines and with targets.

If we decide we ought to use hydrogen and fuel cells to power America’s vehicle fleet, and also some stationary engines, then we ought to move in that direction boldly, not timidly. This is the time to do that with an energy bill. This is the time we decide the direction

in which we want America to move and then establish public policy that makes that happen. I don’t know whether we will have a bill through the Senate that does all that. I hope so. We will have many amendments. I have some amendments I will offer to get us in that position.

Let me make one additional point. Anyone who watched what happened in the California and the west coast energy markets in the last couple of years has to understand that if we pass an energy bill that does not provide safeguards for the consumers, then we will have failed miserably. We saw companies—and I will name Enron, for one, but there are others the Federal Energy Regulatory Commission has already identified—that were playing a monopoly game in west coast markets manipulating loads—they were buying and selling energy to themselves, jacking up prices, in some case, five, ten, and a hundredfold, and stealing from consumers. And it was not just a few dollars; they were stealing billions and billions of dollars from west coast consumers. They are now going to be held criminally liable.

But while all that was happening, we had a Federal Energy Regulatory Commission that was dead from the neck up. It would not do a thing; it sat on its hands, looking like a potted plant. It did not do a thing. So this massive stealing went on in west coast markets because big companies that could control supply did control supply, manipulated load, and attempted to extract from the consumers in western America billions of dollars in an unfair way. We must put safeguards in this legislation that prevent that.

If anybody wonders about it, there is plenty written about it. Go trace the trail that describes the Enron Corporation strategies called “Get Shorty,” “Fat Boy,” and “Death Star.” Do you know what those are? Those are strategies to steal from consumers. The FERC is now deciding there was plenty of activity, and there are criminal investigations going on that warrant perhaps prosecution of both companies and individuals.

But all that happened because we had regulators who did not want to regulate. Regulators were afraid to step in and take effective action. Once again, it demonstrates that when you have the market power, the muscle, and the clout, and you do not have regulators who effectively regulate it, people are victims. And in this case on the west coast, the victims lost billions of dollars. The question is, How is there going to be recompense for that? How is that going to be resolved? Who is going to be tried? Which FERC investigations are sent to the Justice Department for criminal prosecution?

My point is, safeguards need to be in this energy bill dealing with that. We have been through this once. We have colleagues still calling for deregulation of these markets. Deregulation, when you have companies with market

power willing to use it to the detriment of consumers, is a devastating mistake. You need effective regulators, wearing referee shirts, who safeguard the interests of the consumers.

That has to be a part of this bill as well.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDENT pro tempore. The Chair, in my capacity as a Senator from the State of Alaska, asks unanimous consent that the order for the quorum call be rescinded.

Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDENT pro tempore. Morning business is closed.

THE ENERGY POLICY ACT OF 2003

The PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 14, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 14) to enhance the energy security of the United States, and for other purposes.

Pending:

Frist/Daschle amendment No. 539, to eliminate methyl tertiary butyl ether from the United States fuel supply, to increase production and use of renewable fuel, and to increase the Nation’s energy independence.

The PRESIDENT pro tempore. The Chair, in my capacity as a Senator from the State of Alaska, suggests the absence of a quorum. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KYL). Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, parliamentary inquiry.

Am I correct that we are currently on S. 14?

The PRESIDING OFFICER. That is correct.

Mr. DOMENICI. The National Energy Policy Act?

The PRESIDING OFFICER. That is correct.

Mr. DOMENICI. I thank the Chair. I hope Senators and their staff are paying attention. We have been given this week, and it would seem like part of next week, to get an energy bill completed in the Senate. We know this is an important bill, and we know these are important issues to Senators.

Nonetheless, it would seem to this Senator that we have had a very lengthy debate, a lot of amendments, and much discussion last year on an energy policy. Admittedly, much of

that debate centered around the Alaskan wilderness provisions, and they are not going to be at issue in this bill unless somebody chooses to make them so. As manager on this side, I am not aware of anyone who intends to do that. Not because people have changed their minds but because the issue seems to have been decided.

It seems to this Senator that much of the debate has been narrowed. Nonetheless, there is a significant number of issues of consequence to many Members. We did produce a bill in the committee in kind of rapid time, but considering that many of the issues had been debated so frequently, it appeared to this Senator, as chairman, that we did a rather good job. That does not mean we do not have some serious issues, but I believe, since the House has once again produced a National Energy Policy Act, we have a responsibility to produce one. In due course, we will be able to discuss with the Senate and with the people of this country what kind of bill we have.

As chairman, it was this Senator's hope we could produce a bill that over time gave to the American people an opportunity to use a variety of types of energy to meet both the residential and business energy needs in America's future. In essence, we tried to produce a bill that was going to enhance and increase production of various types of energy.

We could have a serious discussion of what we see down the line for the next 5, 10, 15, or 20 years that precipitates this bill and will in turn precipitate the debate on various amendments. However, it ought to be clear to everyone that the United States has, all of a sudden, within the past 5 years decided the energy of choice seems to be natural gas, aside from the fact that we still drive automobiles that use petroleum products, and thus we are still very dependent upon crude oil. We produce as much as we can at home and import a huge amount from a large pool of oil which is now being produced by numerous countries around the globe.

At home, 90 percent of the new electricity production comes from natural gas fired generation. There is nothing wrong with that, but that, coupled with the direct use of natural gas in this country, means we are rapidly moving toward a natural gas economy.

For some, there is no risk in that. For others, they ought to at least be concerned. For others, it seems that we may run into a shortage of natural gas sometime in the not-too-distant future. To that end, this bill says we have an abundance of coal in our country; do everything we can to enhance the usability of coal by spending resources on science to develop and modernize and even build a powerplant that would be clean so that we can prove that in the future coal can begin to fill the gap and begin to take the place of natural gas.

We have also gone ahead particularly at the persuasion of this Senator, the

chairman, and said that maybe the time has come for a rebirth of nuclear power in America. We will have a good opportunity for a lengthy and wholesome debate on where we are today, what went wrong in the past, and what we ought to be doing in the future, perhaps, as this bill envisions, giving nuclear power a chance to come back to life in America and become a powerful source of energy around the world.

At the same time, renewables are of great concern to many Americans. A thorough reading of this bill plus the amendment which is contemplated, the one produced by the Finance Committee, which has a significant provision in it for tax incentives for renewables—the totality of the bill, plus the proposed amendment that would be attached from the Finance Committee, suggests to the American people there will be a lot of windmills in our future. Literally, there will be millions of them. They will be a significant portion of the grid in the United States.

In addition, all other sources of energy—biomass and all related forms—are given some incentive, or in every way possible we have attempted to put all of them on an equal footing. There will be a variety of energy types available to the American people in the foreseeable future.

Clearly, there will be seven or eight major issues. I am hopeful that ethanol, which has become a huge issue even though it is not part of the jurisdiction of this committee—the major ethanol bill currently pending as an amendment has many considerations that will be brought to the Senate's attention by Senators concerned about it and who want various changes in it. We would like that it be dealt with in due course, that it not take a huge amount of the time allotted for this entire bill. We are working together on both sides of the aisle to see if we can set that amendment aside while we pursue other amendments, to move ahead, taking the ethanol provisions in due course.

This bill was reported on April 30 and laid before the Senate on May 6. The Senate considered the measure for 3 days at the beginning of May during which time the pending amendment relating to ethanol was laid down. Today, we begin consideration of the measure. I believe we can predict the outcome of most of the major issues in this legislation. The pending amendment is a bipartisan agreement on ethanol reached after years of negotiation among the involved parties sponsored by the majority and minority leaders and identical to language reported from the Committee on Environment and Public Works. I don't think there is any question but it will be adopted. However, there are some Senators, led by Senators FEINSTEIN and SCHUMER, who oppose the amendment and have the right to offer as many second-degree amendments as they like—as they did last year.

However, as with all major issues, the Senate spoke last year. For the

most part, the issues have not changed. I am certain the resolution of those matters will largely reflect the resolution achieved last year. Last year, it took 6 weeks. There is no reason for it to take that long this year. While some issues are clear, the legislation before the Senate also raised new issues which deserve the consideration of the Senate. I expect amendments related to our titles dealing with electricity, Indian energy, nuclear energy—which I alluded to briefly—which are significantly different from those proposed last year, will take a little bit of time. I also think there are a few areas, such as climate change and renewable portfolio standard, where the outcome may or may not be different from last year.

I hope my colleagues will give Members the opportunity to move as expeditiously through some of these issues as possible. I want the will of the Senate worked, and I will do all I can to move the process along. The majority leader has indicated the Senate will be on this bill this week and some portion of next week with only a few interruptions for other matters that may need to be resolved. I understand we need to spend a few hours resolving some matters relating to the Defense authorization bill and may need to vote on a few judges. Those issues should not consume a lot of time.

For my part, I will be here waiting for amendments. I understand from my distinguished colleague, Senator BINGAMAN, that he, too, is available. We will spend as much time as necessary to move this bill along. I hope a vote can occur tomorrow, perhaps as early as noon, and then thereafter on a regular basis. Senators can expect votes at various times unless we reach some agreements, which everyone would know about from time to time, on each of the days we are scheduled to be in session this week and next week. There are amendments out there. I understand a number of Senators will offer amendments on the OCS inventory provisions of the bill. I have been told perhaps Senator MCCAIN plans to offer amendments related to climate change and perhaps CAFÉ. Senator BINGAMAN made it clear he plans to offer a number of amendments. We are prepared and ready to proceed on those.

I encourage Members to be prepared to come to the Senate as soon as possible. We would like very much to be given the opportunity to get this bill discussed and get the issues debated and voted on as soon as practical. This Senator thinks they are important. There are many people in this country who think energy is important. Until there is a crisis, we act as if we need not worry about an Energy bill, but things have not changed that much. Whatever the crisis was or wasn't last year or the year before, it is practically the same for all intents and purposes today. We remain gravely dependent upon foreign oil. Clearly, there are a number of bottlenecks created

both by bureaucracy and statute that we are going to try to alleviate. There are a number of incentives that ought to be built into the energy base of our country.

As we look at the overall picture, the United States has a rare opportunity to see to it that it has plenty of energy of a variety of types and sources, and after the adoption of this policy through conference and through signature of the President so that America will not have to be worried; we will clearly be in a position that the energy we need to grow and prosper will be there.

Throughout consideration of this bill, there will be discussions about conservation—saving of energy, the use of less energy wherever we can, and promoting policy changes which will indeed promote the use of less rather than more energy. That, too, will create some very serious debates and serious discussions.

With that, I yield the floor to my colleague, Senator BINGAMAN. We are attempting to get a unanimous consent request in short order. I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, I thank my colleague, Senator DOMENICI. I will just very briefly summarize the views I expressed in much greater detail when we began this bill back in May.

My own view is there is much in this legislation that has come before the Senate which I support. Unfortunately, there are also provisions in here I do not support, and there are provisions left out of the bill that I believe are important to include in any kind of comprehensive energy bill we might pass through the Senate.

On that basis, I did not support the form of the legislation that came out of the Energy Committee. I am hoping during the debate here on the Senate floor we can correct the problems that I believe exist, that we can add some provisions that will improve the bill as regards increased efficiency in the use of energy, that will improve the bill as regards increased diversity in the sources of energy, that will improve the bill as regards a consideration of climate change issues, along with our energy policy. There are a variety of issues that need to be addressed, some that need to be corrected.

I look forward to the chance to debate those issues in detail as we get into the amendments. The chairman's intention, perhaps, is to try to begin dealing with the low-income home energy assistance issue today. I hope we can move ahead on that. It is an extremely important provision of the bill. But I look forward to working with the chairman to try to move this legislation forward. In my view, it is important the Congress act in this area. It is important the country modernize the laws that affect our energy supply and energy usage. It has been many years since we have done that in

any comprehensive way. So I hope we can make progress. I know that is the chairman's fondest hope. I certainly join in that and intend to do all I can to cooperate.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. DOMENICI. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, we have received consent from both sides for the following consent request.

I ask unanimous consent that the pending ethanol amendment be set aside temporarily so that the Senator from New Mexico can offer an amendment with reference to LIHEAP.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

AMENDMENT NO. 840

Mr. DOMENICI. Mr. President, I want to explain what we have done and why we have done it. Obviously, there are Senators who want to debate and propose amendments to the ethanol provision. They are not available today.

On the other hand, there is an issue, the LIHEAP issue. Last year the LIHEAP bill was found in the Energy legislation. This year the Senate Committee on Energy and Natural Resources voted for LIHEAP, to reauthorize the LIHEAP Act, and did not include it in the bill but recommended that it would be offered on the floor as an amendment.

In compliance with that, I am going to offer the LIHEAP reauthorization amendment. It will be offered by myself, for myself and for Senator BINGAMAN, in response to the recommendation of the Energy Committee that such be the case.

With that, I send to the desk the low-income home energy assistance program, on behalf of myself, Senator BINGAMAN, and the committee.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI] for himself and Mr. BINGAMAN, proposes an amendment numbered 840.

Mr. DOMENICI. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To reauthorize LIHEAP, Weatherization assistance, and State Energy Programs)

At the appropriate place in the bill, insert the following new title:

TITLE XII—STATE ENERGY PROGRAMS
SEC. 1201. LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM.

(a) HOME ENERGY GRANTS.—Section 2602(b) of the Low-Income Home Energy Assistance

Act of 1981 (42 U.S.C. 8621(b)) is amended by striking "each of fiscal years 2002 through 2004" and inserting "fiscal years 2002 and 2003, and \$3,400,000,000 for each of fiscal years 2004 through 2006."

(b) STATE ALLOTMENTS.—Section 2604(e) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8623(e)) is amended—

- (1) by inserting after (e) "(1)";
- (2) striking "or any other program;" and
- (3) adding at the end the following:

"(2) Notwithstanding any other provision of this subsection, the Governor of a State may apply to the Secretary for certification of an emergency in that State and an allotment of amounts appropriated pursuant to section 2602(e).

"(3) The Secretary shall, in consultation with the Department of Energy and States, adopt by rule procedures for the equitable consideration of such applications. Such procedures shall require—

"(A) consideration of each of the elements of the definition of "emergency" in section 2603;

"(B) consideration of differences between geographic regions including: sources of energy supply for low-income households, relative price trends for sources of home energy supply, and relevant weather-related factors including drought; and

"(C) that the Secretary shall grant such applications within 30 days unless the Secretary certifies in writing that none of the emergency conditions defined in section 2603 have been demonstrated."

(c) REPORT ON METHODOLOGY.—

(1) Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services shall prepare and submit to Congress a report that makes recommendations regarding the methodology for allocating funds to States to carry out the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621 et seq.).

(2) In preparing the report, the Secretary of Health and Human Services shall—

(A) use the latest, best available statistical data and model to develop the recommendations for the methodology; and

(B) recommend a methodology that—

(i) consists of a mechanism that uses estimates of expenditures for energy consumption (measured in British thermal units) for low-income households in each State, for each source of heating or cooling in residential dwellings; and

(ii) employs the latest available annually updated heating and cooling degree day and fuel price information available (for coal, electricity, fuel oil, petroleum gas, and natural gas) at the State level.

(3) In preparing the report, the Secretary of Health and Human Services shall consult with appropriate officials in each of the 50 States and the District of Columbia.

(4) There are authorized to be appropriated to carry out this subsection such sums as may be necessary for each of fiscal years 2004 through 2006.

(d) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services shall transmit to Congress a report on the programmatic impacts of using the National Academy of Science's poverty measure with difference equivalence scale, known as DES, to determine low-income households.

SEC. 1202. WEATHERIZATION ASSISTANCE PROGRAM.

(a) ELIGIBILITY.—Section 412 of the Energy Conservation and Production Act (42 U.S.C. 6862) is amended—

- (1) in paragraph (7)(A), by striking "125" and inserting "150"; and
- (2) in paragraph (7)(C), by striking "125" and inserting "150".

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 422 of the Energy Conservation and

Production Act (42 U.S.C. 6872) is amended by striking the period at the end and inserting “, \$325,000,000 for fiscal year 2004, \$400,000,000 for fiscal year 2005, and \$500,000,000 for fiscal year 2006.”.

SEC. 1203. STATE ENERGY PLANS.

(a) STATE ENERGY CONSERVATION PLANS.—Section 362 of the Energy Policy and Conservation Act (42 U.S.C. 6322) is amended by inserting at the end of the following new subsection:

“(g) The Secretary shall, at least once every 3 years, invite the Governor of each State to review and, if necessary, revise the energy conservation plan of such State submitted under subsection (b) of (e). Such reviews should consider the energy conservation plans of other States within the region, and identify opportunities and actions carried out in pursuit of common energy conservation goals.”.

(b) STATE ENERGY EFFICIENCY GOALS.—Section 364 of the Energy Policy and Conservation Act (42 U.S.C. 6324), is amended to read as follows:

“STATE ENERGY EFFICIENCY GOALS

“SEC. 364. Each State energy conservation plan with respect to which assistance is made available under this part or after the date of enactment of this title shall contain a goal, consisting of an improvement of 25 percent or more in the efficiency of use of energy in the State concerned in calendar year 2010 as compared to calendar year 1990, and may contain interim goals.”.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 365(f) of the Energy Policy and Conservation Act (42 U.S.C. 5325(f)) is amended by striking the period at the end and inserting “, \$100,000,000 for each of fiscal years 2004 and 2005 and \$125,000,000 for fiscal year 2006.”.

Mr. DOMENICI. Mr. President, the amendment increases the authorization for the low-income home energy assistance program from the current authorization of \$2 billion annually to \$3.4 billion for each of the fiscal years 2004 through 2006. The amendment also expands eligibility for the Weatherization Assistance Program to include families with household incomes at or below 150 percent of the poverty level established by OMB, which is equivalent to the existing LIHEAP eligibility.

The amendment also increases funding to \$325 million for fiscal year 2004 through \$400 million for 2005, and \$500 million for 2006.

Finally, the amendment establishes procedures for regular review of existing State energy conservation programs. It sets State energy efficiency goals, reducing energy use by 25 percent by 2010 from energy usage in 1990, and it expands and extends authorization for these programs to \$100 million in fiscal year 2004 and 2005, and \$125 million for 2006.

I urge my colleagues to agree to the amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, I strongly support the amendment that Senator DOMENICI sent to the desk. I think it makes some very much needed improvements in the existing Low-Income Home Energy Assistance Program and also in the Weatherization Assistance Program. It also provides additional funds for development of State energy plans.

I think these are very important provisions. We did not have that severe of a winter in many parts of the country this year. Accordingly, we didn't see as many headlines about the importance of this Low-Income Home Energy Assistance Program as we have in some previous years. But the truth is, this is an extremely important program for a great many of our citizens who are low income and who do need the help. It is important for them in heating their homes in the winter, and it is important for them in keeping their homes reasonably cool in the summer. We are starting the summer.

I went through Dallas on the plane Friday on my way back to Washington. It was 96 degrees. I am sure that is a mild foretaste of what we are going to be seeing in the future as far as the temperature in Dallas and in many parts of the country, particularly in the southern sections of the country.

The Low-Income Home Energy Assistance Program assists people in paying their utility bills for air-conditioning just like it assists them in paying their utility bills for heating.

It is very clear when you look at studies that there are a significant number of people in this country, particularly elderly people in the Southern States, who, in fact, die because of excess heat and the inability to cool their apartments or their homes.

This is a very important program. It is one that we need to deal with. It is one we tried to deal with in the Energy bill last year. We passed it through the Senate in very much this same form. We had general support from the House of Representatives to include it in a final bill to go to the President had we been able to get agreement on a final bill. But there was no disagreement about this part of the program or this part of the legislation.

I believe very strongly this should be agreed to and should be included in this Energy bill.

I notice the House has addressed it already in the Energy bill they have passed. It clearly needs to be part of our Energy bill as well so that when we go to conference we can, in a meaningful way, conference with the House of Representatives on this important issue.

I hope this will be agreed to. I look forward to additional debate on it as necessary.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 841 TO AMENDMENT NO. 840

Mr. DOMENICI. Mr. President, I have already indicated to the Senate that while this amendment was in the Energy bill last year, and while it was

considered by the Energy Committee of the Senate and handled in a manner that I have described, it is not included in the bill but recommended for submission as an amendment, which has been done. It is clear the jurisdictional issue which has arisen did not come up last year, as I understand it, from the distinguished Senator from New Mexico who was chairman last year. It was not raised. So we proceeded as if the same were to occur this year. Such is not the case in that the chairman and the ranking member of the committee of jurisdiction desire to challenge the inclusion of that.

They are aware of the fact that the amendment is going to be included today. The chairman of the appropriate committee, Senator GREGG, is not here today. He will be here tomorrow. Thus, we will not complete debate on this until he comes back tomorrow. But I am going to send to the desk, as they understand this is going to be the case, in behalf of Senator GREGG, an amendment to my amendment which strikes the section of the Low-Income Home Energy Assistance Program substitute and extensive Senate language; that when the Committee on Health, Education, Labor and Pensions reauthorizes the LIHEAP Act of 1981, the committee should consider increasing the authorization of the program to \$3.4 billion to better serve the needs of low-income and other eligible households.

I, therefore, send in amendment to the desk in behalf of the chairman of the committee on Health, Education, Labor, and Pensions a sense-of-the-Senate amendment which does what I have just described.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI], for Mr. GREGG, for himself, Mr. KENNEDY, Mr. ALEXANDER, Mr. DODD, Ms. COLLINS, and Mr. REED, proposes an amendment numbered 841 to amendment No. 840.

Mr. DOMENICI. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To express the sense of the Senate regarding the reauthorization of the Low-Income Home Energy Assistance Act of 1981)

Strike section 1201 (relating to the Low-Income Home Energy Assistance Program) and insert the following:

SEC. 1201. SENSE OF THE SENATE REGARDING THE REAUTHORIZATION OF THE LOW-INCOME HOME ENERGY ASSISTANCE ACT OF 1981.

(a) FINDINGS.—The Senate finds that—

(1) the Low-Income Home Energy Assistance Program (referred to in this section as “LIHEAP”) is the primary Federal program available to help low-income households, individuals with disabilities, and senior citizens meet their home energy bills and maintain their health and well-being;

(2) home energy costs are unaffordable for many low-income households, individuals with disabilities, and senior citizens living on fixed incomes;

(3) those households often carry a higher energy burden than most United States households, spending up to 20 percent of their household income on home energy bills;

(4) States provided more than 4,000,000 households with LIHEAP assistance in 2002;

(5) LIHEAP is currently able to serve only 15 percent of the 30,000,000 households who are income-eligible for assistance under LIHEAP; and

(6) the Committee on Health, Education, Labor, and Pensions has jurisdiction over the Low-Income Home Energy Assistance Act of 1981, which provides authority for LIHEAP, and is working towards reauthorizing the Act prior to its expiration in 2004.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that, when the Committee on Health, Education, Labor, and Pensions reauthorizes the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621 et seq.), the committee should consider increasing the authorization of appropriations under section 2602(b) of that Act (42 U.S.C. 8621(b)) to \$3,400,000,000, in order to better serve the needs of low-income and other eligible households.

Mr. DOMENICI. Mr. President, as I understand it, this is the second-degree amendment. Clearly, it will be debated tomorrow when Senator GREGG and Senator KENNEDY return. We will see what the wish of the Senate is. I join with my colleague, Senator BINGAMAN, in stating that I hope we will leave it in this bill. I think the House has done the same. I think it is important that we adopt the LIHEAP bill and that we do it now. Obviously, there is no need for the Senator from New Mexico to debate any further on this issue because the opponents have to be heard from and they won't be here until tomorrow.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, for Senators again, let me repeat that we are awaiting the return of Senator GREGG to debate this issue; that is, the second-degree amendment which was just offered a few moments ago. In the meantime, the entire Energy bill is before us. Amendments would not be in order obviously. We will await their return and then begin the debate. After we finish the debate, we will vote on LIHEAP.

We will also debate the ethanol amendment. We are attempting to work with Senators who have serious issues with reference to ethanol to see if we can't line those up so that we will be ready to proceed in due course and with some degree of dispatch.

Having said that, I don't believe there is going to be any further significant business on this bill. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. THOMAS). Without objection, it is so ordered.

MORNING BUSINESS

Mr. DOMENICI. Mr. President, I ask unanimous consent that there now be a period of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. DOMENICI. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. FRIST. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CHAFEE). Without objection, it is so ordered.

SCHEDULE FOR JUNE

Mr. FRIST. Mr. President, in opening the Senate this morning, I spoke generally of the schedule for the next month. There are a number of items that I outlined which we will be addressing.

The first is energy, and we will continue that debate, possibly later today but through tomorrow, the next day, the next day, the next day—through this week. It is a very important debate as we work toward that objective, increasing domestic production, decreasing our dependence on foreign sources, addressing issues such as renewable energy sources that we all know are so important, and accomplishing all that with a lot of attention and focus and care with regard to the environment as well as the economy of this great country.

I mentioned this morning that we have begun, weeks ago—in fact, months ago—addressing the issues surrounding the strengthening of our Medicare Program—strengthening it, preserving it, improving it—and at the same time addressing an issue that seniors feel strongly about, people in Medicare feel strongly about, but also soon-to-be-seniors and that younger generation, and that is to include a new benefit of prescription drugs as part of our health care for seniors program, our Medicare Program.

As I talked to a number of people over the last week, a lot of people said, Why now? There are a lot of reasons why now. The bigger question I have is why didn't we do it 6 months ago or a year ago or 2 years ago. Prescription drugs have become an integral part of health care delivery, of the tools, of the equipment, of the armamentarium

that a physician has, that a nurse has, that health care providers have, to give people security, health security, and especially to give seniors health care security. That is the purpose of our Medicare Program, to give seniors that health care security. Yet we have this very important benefit today—much more important today than 10 years ago or 20 years ago or 30 years ago when Medicare was started—these prescription drugs, which are vital to health care security for seniors.

We will be addressing, 2 weeks from today on the floor of the Senate, for a 2-week period, how to strengthen and improve Medicare. To answer that question, Why address the issue now? I think there are three reasons.

First, I think we have a unique opportunity because the political environment is right. When I say political environment, I mean the responsiveness that we demonstrate to what our constituents want and what they demand and, indeed, what they deserve. Indeed, in terms of the political environment, we have seen the call for prescription drugs, proposals to deliver prescription drugs, enter into a number of campaigns 6 months ago around the United States of America, in the campaign cycles from 2 years ago, and that is simply a reflection of the importance of the issue to the American people.

Second, we have a unique opportunity because, I believe, the legislative stars are aligned at this point in time—unlike last year, unlike 3 years ago, and possibly unlike 2 or 3 years from now. By that I mean that we have a President of the United States who has spoken out boldly and forcefully that this is important to our domestic agenda. In fact, the President put out a framework several months ago demonstrating his commitment and the commitment of this administration to strengthening Medicare, to improving Medicare, and at the same time adding this new and important benefit of prescription drugs.

When I say the legislative stars are aligned, it starts in many ways there because it takes that bold leadership because this will be the single most significant and most expensive change in the history of Medicare, a new benefit at the same time we strengthen and modernize Medicare. But it also takes bold leadership in the House of Representatives and bold leadership on the floor of the Senate. As a physician, as majority leader of the Senate, I have made it very clear that this is a huge priority for the leadership of this body. Indeed, that reflects the leadership in the last Congress where Medicare reform and modernization and prescription drugs were discussed on the floor for 2 or even 3 weeks, but where we were not able to bring to it a conclusion.

Then we have a House of Representatives, as we look at these legislative stars. Indeed, it is lined up. This will be the third Congress, maybe the fourth